

**City of Newport Beach - Building Department**

**ADMINISTRATIVE POLICY**

Effective Date	Subject	Policy No.
February 21, 2001 Revised 11/17/2004 Revised 6/10/2009 Revised 10/30/2009	Certificate of Occupancy	CAC 110.2

Section 110.2 of the Newport Beach Administrative Code (2007 CBC Appendix Chapter 1) requires that a certificate of occupancy be issued for a building after the Building Official determines it is in compliance with the codes and laws enforced by the Building Department.

A Certificate of Occupancy will be issued for the following:

1. New residential and nonresidential buildings after shell permit final.
2. Tenant improvement for restaurant regardless of occupancy classification. (see Note 1)
3. Tenant improvement for a space which contains an assembly room with an occupant load of 50 persons or more. (see Note 1)
4. For mercantile tenant improvement, occupancy group "M". (see Note 1)
5. Change of use and occupancy to a higher classification.
6. Alteration to an assembly tenant space when the occupants load changes. In this case, the new certificate will be limited to specifying the new occupant load of 50 or more and will reference the original certificate of occupancy.
7. When an addition is made to a structure for which a prior correction has been issued.

**Note 1:**

*A Certificate of Occupancy will be issued for the first tenant improvement in items 2, 3, 4 above and for subsequent tenant improvements which will increase or decrease the area of the tenant space or occupant load.*

When the Building Department receives a request to generate a Certificate of Occupancy for an existing commercial establishment where no new construction work has been done and the original Certificate is not on file or has incomplete information, the following procedure shall be followed:

The request shall be made to the Chief Building Inspector or the Acting Chief Building Inspector in his absence. He will assign the Principal Inspector in charge of commercial inspection or his designate to research the City records and recreate the original Certificate of Occupancy. If an incompletely filled out C of O is on file, a copy of it shall be used to fill out the missing information. If none is on record, one will be generated based on the codes in effect at the time of construction and using any information we have on file about occupant load, etc. In both cases, the Certificate generated will be marked "duplicate" with the original date that it would have been issued.

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Jay Elbettar, Building Director

